

**ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
MEETING MINUTES
JUNE 6, 2018
COUNTY BOARD ROOM – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501**

Members present: Scott Holewinski, Billy Fried, Mike Timmons, Jack Sorensen, and Ted Cushing

Members absent: None

Department staff present: Karl Jennrich, Zoning Director; Pete Wegner, Assistant Director; Scott Ridderbusch, Land Use Specialist; and Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: See sign in sheet.

Call to order.

Chair Holewinski called the meeting to order at 12:00 p.m., in accordance with the Wisconsin Open Meeting Law.

Approve the agenda. Motion by Jack Sorensen, second by Mike Timmons to approve the agenda. With all members present voting “aye”, the motion carried.

It is anticipated that the committee may meet in closed session pursuant to Wisconsin Statutes, Section 19.85 (1)(g), conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. A roll call vote will be taken to go into closed session.

- a. Dilapidate structure Town of Cassian
- b. Junkyard/business Town of Pine Lake
- c. Status of junkyard complaint in the Town of Pine Lake
- d. Status of pier violation in the Town of Lake Tomahawk
- e. Status of pier violation in the Town of Minocqua
- f. Non-metallic mining in the Town of Sugar Camp
- g. Approve closed session minutes of December 20, 2017, January 3, 2018 and March 14, 2018.

Motion by Mike Timmons, second by Jack Sorensen to go into closed session. Aye: Unanimous.

A roll call vote will be taken to return to open session. Motion by Jack Sorensen, second by Ted Cushing to return to open session: Aye: Unanimous.

Announcement of any action taken in closed session.

- a. **No action taken.**
- b. **Motion by Jack Sorensen, second by Ted Cushing to direct Staff to move ahead, at their discretion, to file a long form complaint. Aye: Unanimous**
- c. **No action taken.**
- d. **No action taken.**
- e. **No action taken.**
- f. **Motion by Billy Fried, second by Ted Cushing to remove the owner from the non-metallic mining program. Aye: Unanimous.**
- g. **Motion by Jack Sorensen, second by Mike Timmons to approve the closed session meeting minutes of December 20, 2017, January 3, and March 14, 2018. Aye: Unanimous**

Public comment. **None.**

Approve meeting minutes of May 4, 7, 9, and 10, 2018.

Motion by Jack Sorensen, second by Ted Cushing to approve the meeting minutes of May 4, 7, 9, and 10, 2018 as submitted. With all members present voting “aye”, the motion carried.

Preliminary Third Addendum to the Little Brown Jug Condominium Plat to change Unit 2 owned by Nathan Czech, and Wilderness Surveying, Jim Rein, surveyor on the following described property: Part of Government Lot 4, Section 11, T39N R6E, 8622 Lambert Road, PIN MI 6905, Town of Minocqua.

Scott Ridderbusch, Land Use Specialist, stated that they are removing Unit 2 and replacing it. Because it is outside of the existing footprint, an addendum to the Condominium Plat is needed. The Town Plan Commission and Town Board have reviewed this request. The Town Board approved the request.

Motion by Ted Cushing, second by Billy Fried to approve the Preliminary Third Addendum to the Little Brown Jug Condominium Plat as submitted. With all members present voting “aye”, the motion carried.

Discussion/decision concerning Chapter 20, the Oneida County Floodplain Ordinance. The committee will be discussing recent correspondence from the Wisconsin Department of Natural Resources on a proposed draft policy.

Mr. Jennrich stated that the committee directed him to develop a policy regarding how to look at structures that may want to be placed or are currently in floodplain. He drafted a policy similar to what had been in place previously. He forwarded the policy to the Department of Natural Resources. WDNR stated they do not feel it meets the requirements of NR 116 nor does it meet the Federal requirements.

Motion by Scott Holewinski, second by Jack Sorensen to not to adopt the policy as proposed and to follow what the Department of Natural Resources tells us to do. With four members voting “aye”, and one member voting “nay”, the motion carried.

Discuss an expired zoning permit and a dilapidated structure on property described as CA 964-3.

Motion by Jack Sorensen, second by Ted Cushing to table this item. With all members present voting “aye”, the motion carried.

Discussion/decision concerning creating a new ordinance to regulate tourist rooming homes in all zoning districts.

Staff drafted an ordinance and sent it to the Town of Minocqua and Corporation Counsel to review. The Town of Minocqua has not responded. **Motion by Mike Timmons, second by Billy Fried to direct staff to gather more information and bring back to the committee. With all members present voting “aye”, the motion carried.**

Discussion/decision on outdoor displays. The committee will be discussing two issues. Setback to right-of-way and the requirement to obtain a conditional use permit.

Mr. Jennrich stated the issue is how to handle outdoor displays.

Motion by Billy Fried, second by Jack Sorensen to allow a zero (0) setback for portable outdoor displays as long as the Town and Zoning Director agree on it. With all members present voting “aye”, the motion carried. Motion by Mike Timmons, second by Ted Cushing to require an Administrative Review Permit instead of a Conditional Use Permit for outdoor display permits. With all members present voting “aye”, the motion carried.

Discussion/decision on changes to Chapter 9 the Oneida County Zoning and Shoreland Protection Ordinance to amend Article 5, Section 9.57 and Article 10, Definitions; Article 2, Section 9.24, Residential and Farming, and Section 9.27, Manufacturing and Industrial. This is related to confined animal feedlot operations. Staff did draft a possible ordinance amendment that would impact Section 9.24, Residential and Farming. Mr. Jennrich summarized the changes for the committee. Mr. Jennrich sent this draft to the Department of Agriculture, Trade and Consumer Protection (DATCP). They provided back comment, which he has not provided comment to the committee. He did run the comments by Corporation Counsel. He agreed and suggested Mr. Jennrich draft language that basically mirrors what DATCP suggested. Mr. Jennrich is recommending he bring back firm language to the committee with those suggestions.

No action taken.

Discussion/decision on mobile food units.

Mr. Jennrich stated that there have been a lot of inquiries in the Minocqua area for this. He is looking for direction as to how to permit these units. **No action taken.**

Discussion/decision on changes to Chapter 9, the Oneida County Zoning and Shoreland Protection Ordinance to amend Article 2, Section 9.20 (E), Accessory Uses and Structures. ((This is to get rid of the moratorium).

Motion by Billy Fried, second by Ted Cushing to support the ordinance amendment and schedule for a public hearing. With all members present voting “aye”, the motion carried.

LTE Staffing request.

Mr. Jennrich is requesting two positions. One is for 600 hours for a zoning technician in the Minocqua Office. **Motion by Mike Timmons, second by Ted Cushing to approve the request**

for 600 hours for a Zoning Technician in the Minocqua Office and forward to LRES. With all members present voting “aye”, the motion carried.

The second position is the LTE Project Assistant position in the Rhinelander Office. **Motion by Ted Cushing, second by Mike Timmons to approve the request for 1200 hours and forward to LRES. With all members present voting “aye”, the motion carried.**

Discuss status of Chapter 9, Article 9, Shoreland Zoning. Staff and the committee will be having a general discussion on the rollout of forms, fees, and new ordinance language.

Motion by Ted Cushing, second by Mike Timmons to table this item. With all members present voting “aye”, the motion carried.

Discussion/decision/prioritization of 2018 Oneida County Planning and Zoning Department projects.

Motion by Mike Timmons, second by Ted Cushing to table this item. With all members present voting “aye”, the motion carried.

Refunds. There are two refund requests. **Motion by Scott Holewinski, second by Ted Cushing to approve the refunds as requested. With all members present voting “aye”, the motion carried.**

Line item transfers, purchase orders and bills. **Motion by Ted Cushing, second by Scott Holewinski to approve the bills as presented. With all members present voting “aye”, the motion carried.**

Approve future meeting dates. **June 20 and July 11, 2018.**

Public comments. **Bill Liebert spoke.**

Future agenda items. **As discussed.**

HOLD PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by Jeff Bolander/Jefflin LLC, owner/applicant to operate a multi-tenant retail building with three suites, and an outdoor display area for a bait shop business located in the northerly tenant space on the following described properties: Part of SW ¼ NE ¼, Section 11, T39N, R6E, 8654, 8652, and 8650 Hwy 51, PIN’s MI 2171-10A and MI 2171-4, Town of Minocqua.

Mr. Jennrich read the notice of public hearing into the record. The notice was published on May 22 and May 29, 2018. It was posted on the Courthouse bulletin board on May 17, 2018. Correspondence in the file includes a letter from the Town of Minocqua, dated May 15, 2018 approving the request with the conditions that all State and County requirements be met.

Chair Holewinski opened the public portion of the public hearing. There was nobody present in favor of or against the request.

Chair Holewinski closed the public portion of the public hearing.

If the committee feels the general standards have been met, staff would recommend approval with the following conditions:

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
2. Additional tenants to apply for ARP/CUP as required prior to occupancy.
3. Outdoor display to be contained within the area diagramed on site plan.
4. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning & Shoreland Protection Ordinance as amended 04/01/2018.
5. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning & Shoreland Protection Ordinance as amended 04/01/2018.
6. Exterior lighting must be downcast and shielded from above.
7. Dumpster, if used, to be screened from view. Applicant to recycle waste material as required.
8. Subject to Town review and recommendations.
9. May be subject to Oneida County Health Department review and approval.

Motion by Ted Cushing, second by Jack Sorensen to approve the conditional use permit as the general standards have been met and with conditions suggested by staff. With all members present voting “aye”, the motion carried.

Conditional Use Permit application by Josh Russart/Northwoods Argo Kayak, applicant, Peckman Investments LLC, owner, to operate kayak tours, park and shuttle van with trailer, display an Argo ATV and storage of kayaks on racks outdoors on the following described property: Part of Gov’t Lot 2 and SW NE, Lot 1 CSM V5 P1442, Section 11, T39N, R6E, 8677 Hwy 51, PIN MI 2176-16, Town of Minocqua.

Mr. Jennrich read the notice of public hearing into the record. It was published in the Northwoods River News on May 22 and May 29, 2018. It was posted on the Courthouse bulletin board on May 17, 2018. Proof of publication is contained in the file. Correspondence in the file includes: A letter from the Town of Minocqua, dated May 15, 2018, approving the request contingent upon meeting all State and County requirements, maintaining a minimum of 16 parking stalls, displaying kayaks on ½ rack holding three kayaks placed as close to the building as possible and subject to annual review by the Town.

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If the committee feels the general standards have been met, staff would recommend approval with the following conditions:

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
2. Outdoor display to be contained within the area diagramed on site plan.
3. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning & Shoreland Protection Ordinance as amended 04/01/2018.
4. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning & Shoreland Protection Ordinance as amended 04/01/2018.
5. Exterior lighting must be downcast and shielded from above.
6. Subject to ARP #17-88

7. Subject to Town review and recommendations.

Motion by Mike Timmons, second by Billy Fried to approve the conditional use permit as the general standards have been met and with conditions suggested by staff. With all members present voting “aye”, the motion carried.

Adjourn.

3:05 p.m. There being no further matters to lawfully come before the committee, a motion was made by Mike Timmons, second by Billy Fried to adjourn the meeting. With all members present voting “aye”, the motion carried.

Chair, Scott Holewinski

Planning & Zoning Director, Karl Jennrich